



HQDA Office of the General Counsel

ETHICS TRAINING 2015

[Contact: usarmy.pentagon.hqda-ogc.mbx.ef@mail.mil](mailto:usarmy.pentagon.hqda-ogc.mbx.ef@mail.mil)



ASK BEFORE YOU ACT



- Reliance on a written opinion from an Ethics Counselor, after full disclosure by you, is valuable, and will provide a safe harbor for administrative adverse actions.
- First Caveat: There is no attorney-client privilege between you and your Army Ethics Counselor.
- Second Caveat: Only the Department of Justice decides who will, or will not, be prosecuted for criminal violations of these laws.
- HQDA personnel may seek Ethics assistance from the following personnel:



CONTACT OGC E&F

Phone: 703-695-4296

E-Mail: usarmy.pentagon.hqda-ogc.mbx.ef@mail.mil



Mark Vetter (Ethics)

- Official Speaking Invites
- Support to NFEs
- Gifts
 - Gifts to individuals
 - WAGs
 - Gifts to the Army
- GO Nominations
- Use of Position/Title

Peggy Baines (Ethics)

- Conferences
- Travel
- 1353 Travel Gifts
- Political Activities
- Fundraising
- Endorsements
- Outside Activities

John Kent (Ethics)

- Financial Disclosure (278 and 450 reviews)
- Training
- Travel
- Post Government Employment
- Conflicts
- CASA Program
- Special Gov't Employees

Jude Soundar (Financial Disclosure Mgmt (FDM) System & Conferences)

- Electronic filing of OGE 278 and OGE 450

OTJAG

Art Kaff (OTJAG Ethics)

- All ethics matters for HQDA 3
ARSTAF



WHY DO YOU HAVE TO TAKE THIS TRAINING?

- Compliance with the ethics rules is a minimum obligation that all federal employees accept as a condition of employment.
- If you are a financial disclosure report filer, your position likely involves the exercise of discretion in sensitive areas, such as aspects of pre and post award contracting, or award and administration of grants or other similar activities.
- Because it is so important to maintain public trust in our programs and operations, and the integrity of our procurements, you have been identified, based on your duties, as a Public or Confidential Financial Disclosure Filer. (5 C.F.R. 2634)



ETHICAL DECISION MAKING



- Law & Rules – “***Can* I take an action?**”
 - An Ethics opinion will provide legal conclusions
 - Interpretive guidance for legal nuances
- Values & Judgment – “***Should* I take an action?**”
 - Ethics opinion may provide considerations or risk analysis
 - But subjective judgment is required to determine the propriety of the proposed action
 - Non-legal considerations:
 - **Public Perception / Optics**
 - Potential Congressional / Media interest
 - What are the benefits to the Army? What are the Risks?



14 Principles of Ethical Conduct

When in doubt, follow these guiding principles

1. Place public service above private gain
2. **Financial interests cannot conflict with official duties**
3. Do not use non-public information for private gain
4. **No gifts from prohibited sources**
5. Employees must put forth honest effort in performance of duties
6. No unauthorized promises purporting to bind the government
7. Do not use public office for private gain
8. **Act impartially and no preferential treatment**
9. Protect and conserve government property and only use it for authorized purposes
10. **No outside employment or job hunting that conflicts with Federal job**
11. Obligated to disclose waste, fraud, and abuse
12. Satisfy financial obligations in good faith
13. Uphold EEO laws and regulations
14. **Avoid appearance of unethical conduct/violating the law or ethics regulations**



Gifts From Prohibited Sources

- Ethical Principals
 - Public service is a public trust. 5 C.F.R. 2635.101(a)(1).
 - An employee shall not (*unless an exception applies*) SOLICIT or ACCEPT any gift or other item of monetary value from:
 - any person or entity seeking official action from or doing business with the Army (e.g., a DoD contractor);
 - or whose interests may be substantially affected by the performance or non performance of the employee's duties. 5 C.F.R. 2635.101(a)(4) (e.g., a private organization seeking logistical support from the Army).



Gifts From Prohibited Sources

One scenario - NO FREE RIDE!!!

- A common question is whether employees can ride with a contractor to and from meetings.
 - Free rides may be a gift.
 - E.g., under a fixed-price contract where there are no provisions for direct reimbursement of contractor transportation expenses, the free ride from the contractor employee is a gift!
- You must then determine whether a gift exception applies.
 - **\$20/\$50 Rule**. You may accept an UNSOLICITED gift valued at \$20 or less, per source per occasion, provided that you do not accept more than \$50 of gifts from that source per calendar year.
 - This rule runs to the “source,” not the person. If 3 people, all from Company X, give you gifts valued at \$20⁸ (\$20+\$20+\$20=\$60) within a calendar year, you violated



Gifts From Prohibited Sources

GOOD NEWS – RIGHT?

- So you can accept the ride from the Pentagon to the Contractor's office space in Rosslyn for a meeting because the value is under \$20. Save your heels from hot footing it to the Pentagon Bus area.

BUT WAIT . . .

- What if you are now in the middle of a source selection, and the Contractor is competing for the follow-on acquisition? The ride is still under \$20 ... But *should* you accept the gift?



Gifts From Prohibited Sources

- **Ethical Principle:** Employees shall act impartially and not give preferential treatment to any private organization or individual. 5 C.F.R. 2635.101(8).
- Accepting the free ride when there is an on-going source selection affecting the contractor MAY create the appearance that you are providing preferential treatment, and should be avoided.
- Government officials should always consider the surrounding circumstances to avoid the appearance of a conflict of interest.
- Remember, it is NEVER inappropriate (and is frequently prudent) for an employee to decline a gift offered by a prohibited source or because of the employee's official position. 5 C.F.R. 2635.204



Soliciting Outside Gifts

- **Example:** A Vice Admiral held a golf tournament and improperly solicited DoD contractors for items to give as prizes to participants. [DoD Standards of Conduct Office Encyclopedia of Ethical Failure]
- **Rule:** *“Department of Defense personnel shall not solicit, fundraise for, or otherwise request or encourage the offer of a gift.”* [DoD 7000.14-R, Volume 12, Section 300502]
- **Rule:** *Executive Branch employees may not solicit gifts from agency contractors, or gifts that would be given because of their official position.* [5 CFR 2635.202(a)(1)]
- **Rule:** *“You may not solicit outside sources for contributions for your party. This includes funds, food, and items.”* [Dec 2012 DoD Standards of Conduct Office memo on holiday parties]



Taking gifts from subordinates

- **Example:** Gift of \$10.75 bottle of wine to boss found to be improper. [TJAG Opinion 1999/84]
- **Rule:** *An Executive Branch employee may accept the following from a subordinate on occasional basis (e.g., birthday, Boss' Day):*
 - *Item(s) worth \$10 or less (not cash),*
 - *Food and/or beverage that is shared in office,*
 - *Hospitality provided at his or her home,*
 - *An item customarily given when receiving hospitality from a superior (e.g., you may give a bottle of wine to your boss when your boss invites you to dinner). [5 CFR 2635.304(a)]*
- **Different rules for gifts on special infrequent occasions**, such as marriage, having a baby, or the end of the superior-subordinate relationship through retirement, transfer, etc. [5 CFR 2635.304(b); JER 2-203]



Coercing \$\$\$ from Subordinates

- **Example:** The Director in a government organization retired, and the staff was told they must contribute \$25 for the retirement party. The Deputy Director was promoted to Director, and the staff was told they must contribute \$25 for the promotion party. The third in charge was then promoted to Deputy Director, and when his promotion party was being planned, someone called the Ethics Office, and disciplinary action was initiated. [DoD Standards of Conduct Office Encyclopedia of Ethical Failure]
- **Rule:** *“[A]n official superior shall not coerce the offering of a gift from a subordinate.”* [5 CFR 2635.302(c) & .304(c)(Example 5)]



Official Action Benefiting Spouse



- **Example:** The wife of an SES employee at NASA owned a business. The wife wanted NASA to purchase services from her company. The SES asked a NASA colleague to approve spending \$20,000 on a project that his wife's company was connected to. The SES also drafted a sole source contract that would be awarded to his wife's company and pressured other NASA employees to approve it.
 - The employee pled guilty to a conflict of interest violation. [2009 Office of Government Ethics Prosecution Survey]
- **Rule:** *An Executive Branch employee may not participate personally and substantially in any particular government matter in which his or her spouse has a financial interest. [18 USC 208(a)]*



Job hunting where you shouldn't



- **Example:** A Navy Captain was Program Manager for a anti-submarine procurement program. He began to negotiate for a post-government job with a company that wanted some business from that procurement program. He invited the company to send employees to the Program headquarters & he discussed with other Navy employees how the company could assist in the program.
 - The employee pled guilty to a conflict of interest violation. [2010 Office of Government Ethics Prosecution Survey]
- **Rule:** *An Executive Branch employee may not participate personally and substantially in a particular government matter, if he or she is negotiating for employment with a company that has a financial interest in the matter. [18 USC 208(a)]*



Helping subordinate get a job



- **Example:** A Department of the Interior (DOI) employee was close to retirement, so he and his supervisor created a plan to help him work as a DOI contractor after he retired. The employee created the Statement of Work for a contractor position that he would compete for. After he retired, he applied for the contractor position and was selected. He got the highest score of all applicants.
 - The employee pled guilty to a conflict of interest violation. [2008 Office of Government Ethics Prosecution Survey]
- **Rule:** *An Executive Branch employee may not participate personally and substantially in any particular government matter in which he or she has a financial interest.* [18 USC 208(a)]



Owing Stock in a Company



- **Example:** A National Security Council employee participated in an official matter involving a petroleum company at a time when he owned stock in that company. Conflict of interest charges were brought. [DoD/GC-SOCO Encyclopedia of Ethical Failure]
- **Rule:** *An Executive Branch employee may not participate personally and substantially in a particular government matter (such as a government contract) that affects the financial interests of a company, if he or she (or his or her spouse or minor child) owns stock in the company.* [18 USC 208(a); 5 CFR 2640.103(b)]
- **Exception:** You may participate in a government matter if you, your spouse & your minor children together own less than \$15,000 of stock in all companies involved in the matter. [5 CFR 2640.202(a)]



Extra Payment for Official Duty



- **Example:** Assistant Director at the National Science Foundation gave four speeches as part of his official duties (three at universities and one for a professional society). He accepted a total of \$4,900 from these organizations for giving the speeches.
 - The employee pled guilty to a conflict of interest violation. [1998 Office of Government Ethics Prosecution Survey]
- **Rule:** *An Executive Branch employee may not accept additional compensation from a source outside the Government for the performance of his or her official duties.* [18 USC 209]



Post-Government Employment



- **Example:** An Air Force Colonel, the Vice Commander at Eielson Air Force Base, oversaw a \$70 million project to build military family housing at the base. He retired and went to work for the construction contractor for the project. On two occasions, he contacted the AF on behalf of the contractor (to expedite a late contract payment and to complain about the AF's warranty claims).
 - The Colonel pled guilty to a conflict of interest violation. [1998 Office of Government Ethics Prosecution Survey]
- **Rule:** *If an Executive Branch employee participates personally and substantially in a particular government matter (e.g., a gov't contract), he or she is prohibited for life from representing any non-government party before the US regarding the same matter.* [18 USC 207(a)(1)]



MISUSE OF RESOURCES

Army COL was scheduled to go TDY and asked one of her employees to make a reservation for her mother on the same flight. When she was told that such action would be illegal, she responded that it was “alright” and that she had asked employee as a “personal favor.” After even more people counseled her on the illegality of her actions, the COL attempted to stop the employee from making the flight reservation, but it was too late.

➤ What were the violations? . . .



MISUSE OF RESOURCES

- **Ethical Principle:** Employees shall protect and conserve Federal resources and shall not use them for other than authorized activities. (Also an ethical standard at 5 C.F.R. 2635.704)
- Government resources include:
 - Real or personal property
 - Anything purchased with Government funds, including the services of contractor personnel
 - Office supplies, equipment, mail, vehicles
 - Government records
 - **An employee's or contractor's time and efforts.**
- Here, the COL misused a government resource – her employee – for the COL's personal benefit.



Misuse of government vehicle



- **Example:** A CIA employee used a government vehicle to transport himself and three other CIA employees to the funeral of the son of another CIA employee. The CIA employee was not authorized to be the official agency representative at the funeral. The round trip was 200 miles.
 - The Comptroller General (CG) ruled that the vehicle was not used for “official purposes.” [CG Decision B-275365, 17 Dec 96]
- **Rule:** *Government vehicles may be used only for “official purposes.”* [31 USC 1344(a)(1); DoD 4500.36-R; AR 58-1]



Subordinates & Personal Errands



- **Example:** An Army General Officer made his staff work at a private charity event, provide free driving lessons, and feed a friend's cats. [Washington Post, 14 Jun 13]
- **Rule:** *A supervisor may not direct or ask subordinates to use official time to do his or her personal errands.* [5 CFR 2635.705(b); JER 3-303b]
- **Rule:** *A supervisor may not direct or ask subordinates to use personal time to do his or her personal errands.* [5 CFR 2635.702(a); JER 3-303b]



Events - Official or Personal?

- **Example:** An Army Colonel hosted a barbeque at his quarters to welcome new staff members to his division. He tasked subordinates to purchase food and beverages during duty hours, and to use a government vehicle to transport government tables and benches to his home for the event.
 - The investigation concluded that the event was unofficial (and constituted a misuse of government resources) since the event was advertised as a Block Party, attendance was voluntary, and the event was not considered a place of duty. [DoD Standards of Conduct Office Encyclopedia of Ethical Failure]
- **Rule:** *Government time and property must be used for official purposes only.* [5 CFR 2635.704 & .705]



Endorsement Issues

- Official Endorsements are Prohibited (*almost always*)
- **Rule:** ***“Endorsement of a non-Federal entity, event, product, service, or enterprise may be neither stated nor implied by DoD or DoD employees in their official capacities and titles, positions, or organization names may not be used to suggest official endorsement or preferential treatment of any non-Federal entity” (JER 3-209)***



ENDORSEMENT ISSUES

- **Why are endorsements PROHIBITED??**
 - They state or suggest official certification or approval.
 - They portray the item or event as public rather than commercial.
 - They represent preferential treatment.
 - They may improperly coerce DoD personnel.



Endorsements

- Explicit endorsement. E.g., you cannot announce to the public in your official capacity that you think Soldiers should support a particular charity; nor can you publically state that a particular contractor makes the best rockets.
- Implied endorsement.
 - Serving as an Honorary Chairman for a NFE event when such role is connected to your official position.
 - Serving as a NFE board member in your official capacity (*unless authorized by a specific statute*).
 - Presenting an NFE an award when such presentation is connected to your official position.
 - Expressing support for a program or charity while in uniform or while being identified as an Army official.



Endorsement Examples

- **Example:** The “ALS Ice Bucket Challenge.” Even if a worthy charitable cause, it would be improper for senior Army officers to post their participation while in uniform on the internet as doing would suggest an endorsement of the charity in their official capacity.
- **Example:** An Air Force officer appeared in an advertisement in the monthly magazine of a non-profit association of acquisition professionals. The ad featured a color picture of the AF officer in uniform, and a quotation that read: “Over the past 25 years, my ____ membership kept me up-to-date on current issues and gave me an ever expanding network of contracting professionals. It’s a key part of any professional’s success.”
 - The officer was found to have violated the ban on official endorsements. [Air Force TJAG Opinion 2000/20]



Contractor Issues

- It's that time again. Your office's current contract for support services is about to expire, and your office is working to award a follow-on contract. The solicitation is on the street and you anxiously await proposals.
- As the current contract is winding down, this is a great opportunity to give certificates of appreciation to contractor employees who went above and beyond what was required in the performance work statement.
- This is a good idea... Right?





Contractor Issues

- NO! . . . It's not a good idea. You are not allowed to give awards or recognition certificates to contractors anymore.
- Here's why . . . *(and it is not because we don't like contractors or think they are trying to do anything wrong!)*





Contractor Issues

- **Ethical Principle:** Employees shall act impartially and not give preferential treatment to any private organization or individual.
- **It is a misuse of position to endorse non-Federal entities (NFEs), to include contractors.** 5 C.F.R. 2635.701-702
 - *An employee shall not use his Government position or title in any manner that could reasonably be construed to imply the agency sanctions or endorses the employee's personal activities or those of another.*
 - Likewise, employees shall not endorse any product, service, or enterprise of a NFE.



Contractor issues

- Giving an award or certificate of commendation to contractor employees during an on-going source selection creates an appearance that we may favor the incumbent contractor over its competitors.
- ***This perception concern outweighs any desire to show appreciation to a contractor for a job well done.***
- The following is an example of an award that created a very awkward situation...



Contractor Issues

- **Example:** A Defense Agency recognized a contracted supplier with a Vendor Excellence award in the category of “outstanding special group-owned small business.”
- 5 months later...
- GSA official pled guilty to charges stemming from a conspiracy to overcharge the agency for supplies. Who was the conspiracy with? None other than the same company that received the Vendor Excellence award. The company reportedly paid gratuities totaling \$25,000 for meals and entertainment to the GSA official and his spouse. It also offered the GSA official a job. In exchange for these perks, the GSA official “invited” the company to overcharge for its supplies.
- An extreme example of Awards to Contractors gone awry. (Did you spot the criminal conflict of interest? (Bribery, 18³³ U.S.C. 201)



CONTRACTOR ISSUES

RECENT RULE CHANGE!

- Revised DoDI 1400.25-V451, November 4, 2013, states:
 - *“Awards, award programs, ceremonies, or receptions to acknowledge contributions by organizations or companies having a commercial or profit-making relationship with DoD **must not be established**.” See paragraph 3(h).*
 - *“To avoid issues in connection with contractual relationships and obligations, actual or perceived conflicts of interest, and actual or perceived acts of favoritism, persons, organizations, or companies having a commercial or profit-making relationship with DoD or with a DoD Component **will not be granted recognition**. See Enclosure 3, paragraph 11(b)(2).*



CONTRACTOR ISSUES

In the old days...

- We were allowed to present contractor employees with letters of commendation IF ok'd by the contracting officer.
- Because of an actual or perceived implied endorsement or favoritism created by such recognition, we may no longer make such presentations to contractors.
 - So, no more award ceremonies to recognize both Government and Contractor employee contributions. Government employees may still be presented awards IAW personnel laws.
 - No more gifts to contractors, even if paid for with your own personal funds, to publically recognize a job well done. *(includes commander's coin!)*



Contractor Issues

So ... what is permitted?

- Can you buy the contractor employee a gift during the holiday season?
 - Yes if a personal gift; not an award for a job well done...
 - Will the contractor employee's employer allow acceptance of the gift? Ask the contracting officer if the contractor employee can accept a gift.
 - Use common sense - make sure the gift is appropriate.
- Can you write a letter of recommendation for a contractor employee?
 - Yes, **but there are restrictions**. You may, per 5 C.F.R. 2635.702(b), sign a letter of recommendation for a contractor employee (**not the contractor employer**) using your official title and DoD letterhead, but only if it is in response to a request for an employment recommendation or character reference **based upon your personal knowledge** of the ability or character of the contractor employee **with whom you have**



Contractor Issues

- You can provide past performance feedback, positive or negative, coordinated with the Contracting Officer (CO) or the Contracting Officer's Representative (COR). You may also provide feedback on past performance questionnaires provided you clear your responses through the CO or COR.
- Bottom Line: It is the contractor's (and not your) responsibility to monitor contractor employee performance and award accordingly.



Contractor Issues

- Government employees must understand the arms-length nature of the relationship between the government and the contractor/contractor employees. The desire to treat the contractor as part of the team is understandable, but not always appropriate under the Standards of Conduct.
- Unduly close personal relationships with contractor employees can create the appearance of favoritism, and may call into question the integrity of the procurement process.
- Be mindful that contractor employees are not subject to the same ethics laws and regulations as Government employees, and are not accountable to taxpayers in the way that we are.



Contractor Issues

- **Do** let the contractor supervise its employees.
- **Do** respect the employer-employee relationship between a contractor and its employees.
- **Do** ensure that contractors in the workplace are clearly identified, and clearly identify themselves as such to others. This will help prevent inadvertent mistakes.





CONTRACTOR ISSUES

- **Do not** become so involved in contractor operations as to shift the risk of performance from the contractor back to the Government.
- Avoid participating in the selecting or recruiting of contractor personnel.
- **Do not** misuse Government resources by misusing contractor time or ordering work to be performed that is outside the scope of the contract.



ETHICS AND OFFICE PARTIES



Mary's office wants to celebrate the holidays with good cheer for all!

- The first thing she did was send out the invitation announcing that the office holiday party will be held 19 Dec from 10:00 to 4:00, and all are invited! She used the general office distribution list, which includes contractor personnel.
- Mary also wants to have lots of food. She needs to hold fundraisers to defray the costs. She's got some great ideas. First, she's going to hold a bake sale near the Metro entrance to the Pentagon where there is the most foot traffic.
- Then Mary is going to ask the local baker to donate cakes since Federal workers are so deserving.
- Any issues raised by Mary's party plans?



Ethics and Office Parties

Ethical Principles to consider:

- Public Service is a Public Trust!
- Employees shall not solicit gifts, and may only accept gifts if an exemption or exception applies.
- Employees shall not use public office for private gain.
- Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.



ETHICS AND OFFICE PARTIES



Let's break this party down.

- The first thing Mary did was send out the invitation announcing that the office holiday party will be held in the Director's Suite, December 19th, from 10:00 to 4:00, and all are invited! She used the general office distribution list, which includes contractor personnel.
- Common sense and good judgment are essential when party planning.
- An all day party seems a bit excessive and may very well violate 5 C.F.R. 2635.704, which requires employees to protect and conserve Government property, including employee time. How would having a six hour party during the duty day look to the reasonable taxpayer?



ETHICS AND OFFICE PARTIES

- Next, Mary sent the announcement to everyone in the office, including contractors.
- Note the Government *may not reimburse a contractor for its employees' morale and welfare expenses (i.e., we cannot pay contractors for attending a party, even if it is our party).*
- Consult with the Contracting Officer to ensure that attendance is not precluded by the terms of the contract.
- The contractor decides whether to let its employees attend and forego payment for their time, or insist that they continue to work.
- Consider a disclaimer on party announcements: "Contractor employee participation and attendance at these events are subject to the terms and conditions of the contract, and the contractor employee's company policies. The Government may not reimburse a contractor for its employees' morale and welfare expenses "



Fundraising and Office Parties



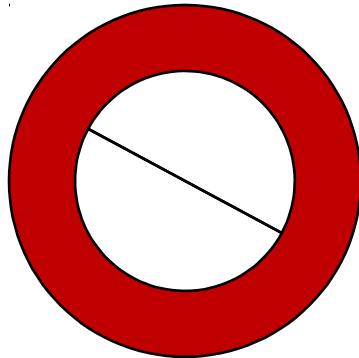
- Mary plans to fundraise by holding a bake sale near the Metro entrance to the Pentagon. Is this location acceptable?
- Fundraising is permitted by organizations composed primarily of DoD employees or their dependents ***when fundraising among their own members for the benefit of welfare funds for their own members or their dependents when approved by the Agency Director, after consultation with a Agency's Ethics Counselor.*** See JER 3-210.a(6).
- Mary cannot set up the bake sale near the Metro entrance to the Pentagon because that area is traveled by all building occupants. She must conduct the fundraising within her own organization for the benefit of her own office members. A bake sale in the organization's suite or conference room would be a permissible fundraising location.



GIFTS AND OFFICE PARTIES



- Solicitation of Gifts is Prohibited!
- Mary plans to ask the local baker to donate cakes since Federal workers are so deserving. Uh Oh...
- This is an improper solicitation of a gift. **We can never, ever, solicit gifts from non-Federal entities!**





ATTENTION ALL FDR FILERS!

- **DoD Financial Disclosure Filers (450 and 278) must obtain written approval from supervisor before engaging in a business activity or compensated outside employment with a prohibited source.**
 - Off-duty consulting for DoD Contractor.
 - Adjunct professor at local university.
 - Fiduciary position with private organization that conducts business with or seeks support from DoD (e.g., AUSA, AAAA, Signal Assn.; but not local school board, soccer club, or homeowners assn.)
 - Attach written approval to current FDR in FDM.



ATTENTION 278 FILERS!

- Starting on 1 Jan 16, Form 278 filers will fill out a new 278 form in FDM – the OGE **Form 278e**
 - This form will collect the same information as the current 278 form, but when printed out the information will be lumped separately under filer, spouse, or dependent children.
 - To further streamline the printed version of the 278e, sections with no filer data will be omitted from the printed report.
 - Although the 278e will collect the same information, 278 filers will see some differences in the way they prepare their 278e's in FDM.
- **Personal Mortgage** – GOs and PAS officials must report their personal residence mortgage under the liabilities section of 278 report.



ATTENTION 278 FILERS!

- **Periodic Transaction Reports (278-T)** – All 278 filers must report purchases, sales, or exchanges greater than \$1000 of:

- ✓ Stocks
- ✓ Bonds
- ✓ Commodities futures
- ✓ Any other form of security (*but not mutual funds*)

Must report for spouse, dependent child, and any security where employee is owner or partial owner. Due w/in 30 days of actual notice or 45 days of transaction._

- **3-Day Employment Negotiation Notice** – All OGE 278 filers must submit a “notification statement” within 3 days of negotiation with any NFE for future employment OR compensation. Template is available. Includes recusal provisions.

❖ **Beware: “Negotiation” is defined broadly! Contact your EC.**